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SUBJECT: UNGA THIRD COMMITTEE DISCUSSES RACISM,
SELF-DETERMINATION, AND THE UNHCR REPORT

REF: USUN NEW YORK 1054

11. SUMMARY: From November 3-5, the UN General Assembly Third Committee formally discussed the elimination of racism and racial discrimination, the right of peoples to self-determination, and the report of the UN High Commissioner for Refugees. Speakers from several Islamic nations noted a trend of "Islamophobia" since the September 11, 2001 attacks, and argued that limitations needed to be placed on freedom of expression to prevent defamation of religion. Arab delegations said that Israel's "occupation" of the West Bank and Gaza violated the Palestinian people's right to self-determination. The United States and Israel noted concern regarding the Durban Review Conference's singling-out of Israel. The UN High Commissioner for Refugees called for a serious debate regarding the international response to forced displacements. Delegates noted the need to close the funding gap between emergency humanitarian assistance and longer-term development, and agreed that voluntary resettlement remained the preferable option for refugees in most situations. END SUMMARY

RACISM, SELF-DETERMINATION

12. In three formal meetings November 3-4, the UN General Assembly (UNGA) Third Committee discussed the elimination of racism and racial discrimination, xenophobia and related intolerance; comprehensive implementation of and follow-up to the Durban Declaration and Program of Action; and the right of peoples to self-determination. Speakers included the Vice-Chair of the Durban Review Conference Preparatory Committee; the Chair of the Committee for the Elimination of Racial Discrimination; the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance; the Chair of the Working Group on the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination; representatives of 35 countries and the Palestinian observer; and observers from the Council of Europe and the International Federation of Red Cross and Red Crescent Societies (IFRC). Complete texts of all U.S. statements can be found at www.usunnewyork.usmission.gov.

13. The Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance said that in recent decades, migrants have become one of the most vulnerable groups to racist and xenophobic attitudes and attacks. He said that the number of conflicts breaking out, particularly since the end of the Cold War, has deepened ethnic cleavages, mobilizing racially- and ethnically-defined nationalism worldwide, and noted that human rights played a key role in conflict-prevention. He also pointed to the link between racism and poverty. In the question and answer session following the Special Rapporteur's presentation, Egypt, Libya, Algeria, and Pakistan inquired about his

approach to the link between defamation of religion and freedom of expression. Without specifically mentioning defamation of religion, Kuwait and Cuba expressed concern regarding the link between discrimination and freedom of expression. The Special Rapporteur responded by noting the need for a shift from the idea of defamation of religion to incitement to religious and racial hatred. Libya took the floor again, arguing that freedom of expression should be limited in cases of its "misuse" to insult or incite others to hatred or intolerance.

¶4. During the general discussion, on behalf of the G-77 and China, Antigua and Barbuda said that while freedom of speech was a valuable component of a democratic society, its exercise should not infringe upon the rights of others. Further, referring to "attempts to disguise incitement to racism and hatred under the cloak of freedom of speech," the delegate called for the establishment of an ad hoc committee to provide a framework to combat all forms of contemporary racism, including incitement to racial and religious hatred. Bangladesh and Iran also expressed concern over the perceived increase in defamation of religion under the pretext of freedom of expression, and Egypt said that racial discrimination against religious groups often took place under the guise of security. Cuba complained about developed countries' xenophobic and racist immigration policies which had "demonized" Islamic groups. Several speakers from Arab nations shared their perception that discrimination against Muslims had been increasing since the September 11, 2001 attacks, with some referring to the trend as "Islamophobia."

¶5. The United States and Israel emphasized concern regarding the Durban Review Conference's (Durban II) singling-out of

Israel, with the United States noting its disappointment that Durban II participants would focus on anti-Semitism and demonizing Israel, and Israel noting its fear that Durban II would be another venue for "obsessive vilification" of Israel. The United Kingdom also emphasized that the process should not be biased, and called for the Conference to address anti-Semitism and Holocaust remembrance. Several Arab delegations and the Palestinian observer noted that Israel's "occupation" of the West Bank and Gaza was violating the Palestinian people's right to self-determination. Cuba called for the United States to return the "illegally usurped" territory of Guantanamo Bay to Cuba. Russia expressed concern regarding the growth of neo-fascist and neo-Nazi groups, and said that some European governments were distorting history and honoring so-called "heroes" who had actually cooperated with the Nazis. (NOTE: Russia's related draft resolution on racism passed Committee on November 18 by a vote of 122-1(U.S.)-54 - septel.) Pakistan said that India's occupation violated the Kashmiri people's right to self determination. Georgia accused Russia of engaging in racial discrimination against Georgians and other ethnic groups in South Ossetia and Abkhazia. Without referring directly to Nagorno-Karabakh, Azerbaijan provided a thorough analysis of "misinterpretation" of the right to self-determination, arguing that it applied to peoples, not minorities within a country.

UNHCR REPORT -----

¶6. In two formal meetings November 4-5, the UNGA Third Committee discussed the Report of the UN High Commissioner for Refugees (UNHCR), questions relating to refugees, returnees and displaced persons, and humanitarian questions. Speakers included the UNHCR; representatives of 28 countries; and observers from the International Committee of the Red Cross, the International Organization for Migration, and the IFRC. The High Commissioner said that displacement was increasing due to climate change, extreme poverty, and conflict. He briefed on the UNHCR's internal reform efforts, and noted the need for greater financial resources to finance the UNHCR, which was being asked "to do more and more to respond to greater and greater demands." He also called for

a "serious and systematic debate" regarding the international response to the growing scale and complexity of forced displacement.

17. During the general discussion, many States noted the need to close the funding gap between the stages of emergency humanitarian assistance and longer-term development. Many delegates thanked the countries hosting large refugee populations, most of which are also developing countries, and several of the host countries solicited assistance to ease the infrastructural burden caused by these populations. Several speakers noted the need for greater safety provisions for humanitarian aid workers, particularly in situations of conflict. Most delegates agreed that voluntary resettlement remained the preferable ultimate solution for refugees in most situations. (NOTE: The Committee adopted by consensus a draft resolution on the UNHCR on November 11 - reftel.)
Khalilzad